

Article - Local Government

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§4–314.

(a) If the following conditions are satisfied, the Executive Director of the Department of Legislative Services promptly shall certify all the facts to the Secretary of State:

(1) a municipality fails for 3 consecutive years to file with the Department of Legislative Services a comprehensive statement of financial condition as required under § 16–103 of this article;

(2) the Executive Director of the Department of Legislative Services has reasonable cause to believe the municipality is no longer actively operating as a municipality under its charter; and

(3) the Legislative Auditor certifies that the municipality has no debts or obligations outstanding and unpaid.

(b) (1) On receiving a certification under subsection (a) of this section, the Secretary of State shall issue a public proclamation declaring that the municipal charter is repealed under this section.

(2) The Secretary of State shall file copies of the proclamation with:

(i) the clerk of the Court of Appeals;

(ii) the clerk of the circuit court of the county in which the municipality is located; and

(iii) the Department of Legislative Services.

(c) The repeal of the municipal charter is effective on the first day of the month after a proclamation is issued under subsection (b) of this section.

(d) On and after the effective date of the repeal:

(1) the former municipality may not be treated as a municipality; and

(2) the repealed municipal charter may not be included in any later edition or codification of public local laws of the county in which the municipality was located or of the State.

(e) If the assets and liabilities of the former municipality have not been disposed of before a municipal charter is repealed, after the charter is repealed the county commissioners or county council of the county in which the municipality is located shall:

(1) succeed to full ownership, title, and control of the assets of the municipality; and

(2) liquidate the debt of the municipality as provided in § 4–313 of this subtitle.

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